

State Laws Regarding Pandemic, Epidemic, and Public Health Emergencies

STATE STATUTE	DESCRIPTION
26-1-30. Powers and duties of department.	This statute grants broad and general authority to the Health Department to take action necessary and desirable to promote public health and prevent illness and disease through detection, control, and reporting.
26A-1-106. Assistance in establishing local health department...Responsibilities. 26A-1-114. Powers and duties of local health departments.	These sections establish local health departments and give them broad powers to control communicable diseases, investigate bio-terrorism, and provide assistance for public health emergencies.
Title 26, Chapter 6b, Communicable Diseases-Treatments, Isolation, and Quarantine Procedures.	This chapter applies to involuntary examination, treatment, isolation, and quarantine when an individual or group of individuals is suspected of being infected with a communicable disease that poses a threat to the public health. This chapter covers the role of the public health officials, first responders, and the courts when issuing an order of restriction.
Title 26, Chapter 23b, Detection of Public Health Emergency Act.	This chapter requires health care providers, pharmacies, clinical laboratories, and a public safety authority (including Homeland Security) to report to the department any case of any person who in the reporter's professional judgement is sufficiently likely to harbor any illness or health condition that may be caused by bio-terrorism, epidemic or pandemic disease, or a novel or highly fatal infectious agent or biological toxin which might pose a substantial risk of a significant number of human fatalities or long-term disability. This chapter authorizes the department to investigate, report, and share information with public safety authorities.
26A-1-126. Medical Reserve Corp.	Authorizes local health departments to establish a medical reserve corp which may be activated when a national, state, or local public health emergency is declared. Medical reserve corp members may be retired, actively licensed, or working under a modified scope of practice. A reserve corp member operates under the supervision of the local health authority for the duration of the emergency.

<p>Title 26, Chapter 49, Uniform Emergency Volunteer Health Practitioners Act.</p>	<p>This chapter was enacted after Hurricane Katrina. It authorizes out-of-state volunteer health care practitioners and veterinarians to come into the state and provide health services in the state when a state of emergency is declared. The chapter establishes the qualifications and scope of practice for the volunteers. This is a uniform law being adopted around the country and facilitates the establishment of a national registry of volunteer practitioners and their qualifications.</p>
<p>58-1-307. Exemptions from licensure.</p>	<p>When there is a declaration of a national, state or local public health emergency, or state of emergency, certain licensing provisions for professionals in the state can be suspended or modified by DOPL as necessary to respond to the emergency.</p>
<p>58-13-2. Emergency care rendered by licensee.</p> <p>58-13-2.6. Emergency care rendered by a person or health care facility.</p> <p>78B-4-501. Good Samaritan Act.</p>	<p>These statutes all provide liability protections for health care providers, health care facilities, and governmental entities who in good faith assist in implementing measures to control the causes of epidemics, pandemics, communicable diseases, or other conditions that significantly affect public health.</p>